

RESPONSE

In response to the Office Action, Applicant has cancelled claims 8 and 20 simply to expedite consideration of the present application. The subject matter in those claims is adequately covered in the independent claims from which they depend. Applicant further believes that the rectangular outside diameter of the cross-section of the tube would be well understood by one of skill in the art by reference to the drawings where the circular outside diameter is exemplified. In any event, those claims have been cancelled.

Claim 6 has been amended to overcome the §112 rejection. Applicant submits that claim 6 is now in proper condition and compliance with §112.

The claims of the present application are rejected under 35 U.S.C. §103(a) as being unpatentable over Dobslaw in view of Villanueva. In view of the foregoing amendments, and further in view of one or more of the following arguments, Applicant submits that the application is in condition for allowance. Favorable action is requested hereon.

At the outset, Applicant notes that it has amended independent claims 1 and 14 to more clearly define the invention. In the invention, the tube element is positively recited as being mounted to a cutting table beneath the work surface defined by the table. This is an important practical distinction from, for instance, the apparatus described in Dobslaw, because the mounting of the tube beneath the work surface greatly reduces the bulkiness and difficulty in handling of the cutting table and saw guide system. This distinction is decisive with respect to patentability, because neither Dobslaw nor Villanueva disclose any saw guide system where the guiding apparatus includes a tube or similar structure beneath the work surface. This unique

construction is not found nor suggested in the prior art. For at least the foregoing reasons, Applicant submits that claims 1 and 14 and their dependent claims are now in condition for allowance.

With respect to claim 23, the Examiner has not noted specifically where in the Dobslaw or Villanueva reference the "mount" of that claim is found. In practical terms, there is and can be no mount in Dobslaw or Villanueva. In Villanueva, the bracket 18 and the shaft 15 with grooves 16 are either incorrectly identified as a tube that comprises a longitudinal slot and a saw guide post or they constitute the claimed mount. They cannot be both. Applicant submits that claim 23 is patentable as presented. There is no reasonable combination or interpretation of Dobslaw and Villanueva and the teachings therein that, when combined, disclose the invention claimed in claim 23.

As is evident from the foregoing, the references cited by the Examiner do not disclose the claimed invention and cannot be stretched to arrive at such a conclusion. In both Villanueva and Dobslaw, the saw and guide systems are configured above the work surface. There is no disclosure or any other teaching of the guide system being mounted, at least in part, below a work surface. The constructions described and demonstrated therein are physically unable to be configured in such a manner.

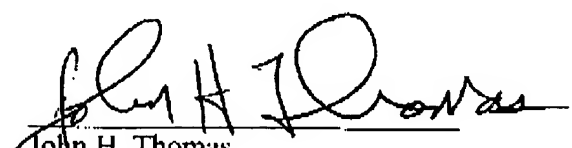
For one or more of the foregoing reasons, Applicant submits that the claims of the present application are in condition for allowance. Favorable action is requested hereon.

The Commissioner is hereby authorized to charge any deficiencies in payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-2127.

Respectfully Submitted,

Date: December 15, 2005

John H. Thomas, P.C.
536 Granite Avenue
Richmond, Virginia 23226


John H. Thomas
Attorney/Agent for Applicant(s)
Reg. No. 33,460

Tel. 804 344 8130

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to Examiner Charles Goodman at the Patent and Trademark Office at facsimile number (571) 273-8300, on the date shown below.

Date: December 15, 2005


John H. Thomas